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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

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7 RICHARD JOHN,

Case No.15-cv-00475-VC (JSC)

8 Plaintiff,

9 v.

10 UNITED AIR LINES, INC., et al.,

11 Defendants.
**ORDER RE: DECEMBER 14, 2017
DISCOVERY HEARING**

(Dkt. No. 302)

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13 DARRYL WILSON,

Case No.15-cv-00472-VC (JSC)

14 Plaintiff,

15 v.

16 UNITED AIR LINES, INC., et al.,

17 Defendants.

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19 LEON MILLER,

Case No.15-cv-00457-VC (JSC)

20 Plaintiff,

21 v.

22 UNITED AIR LINES, INC., et al.,

23 Defendants.

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25 The Court held a discovery hearing on December 14, 2017 regarding the issues raised in
26 Plaintiff's discovery letter brief of December 11, 2017. (Dkt. No. 302.) This Order confirms the
27 rulings of the Court at that hearing.

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First, on or before January 5, 2018, Defendant shall produce a privilege log for any

1 withheld communications regarding Plaintiffs and their applications for other positions excluding
2 any communications with litigation counsel.

3 Second, on or before January 5, 2018, Defendant shall review the documents previously
4 produced in redacted form in November 2017 to ensure that the redactions are narrowly tailored to
5 shield truly private information, and either reproduce the documents that have been over-redacted
6 or provide Plaintiffs with a key that explains why each document and portion thereof has been
7 redacted. The parties shall then meet and confer in good faith in person or by video-conference to
8 attempt to narrow any disputes. If they are unable to resolve the issue, they must contact the
9 Courtroom Deputy on or before January 11, 2018 to schedule a telephonic discovery hearing to
10 determine how to proceed.

11 Third, on or before December 21, 2017, for any documents Defendant previously produced
12 in this action and designated as “attorneys’ eyes only” (“AEO”), Defendant shall review its
13 designations and provide Plaintiffs with a list of those documents which it believes it can prove
14 are truly AEO. Plaintiffs may assume that any document not on that list has been re-designated as
15 “confidential” rather than AEO. The parties shall then meet and confer in good faith in person or
16 by video-conference to attempt to narrow any disputes regarding these remaining AEO
17 documents. If the parties are unable to resolve this issue through the meet and confer, on or
18 before, January 11, 2018, Defendant shall file a letter brief with the Court explaining the basis for
19 its AEO designation in accordance with the procedure set forth in the protective order. Plaintiffs
20 shall have until January 18, 2018 to file their response. The Court will then take the matter under
21 submission and advise the parties if a further hearing is necessary.

22 Fourth, Defendant represented that it had produced all responsive documents regarding
23 Plaintiffs’ applications and the selection process. At the hearing, Plaintiffs maintained that the
24 Plaintiffs had also taken notes during their interviews which were confiscated by United, but not
25 included within the documents produced. On or before December 21, 2017, Plaintiffs shall
26 provide Defendant with additional information regarding these interview notes so that Defendants
27 can determine if such notes exist.

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1 Finally, Plaintiff's request for discovery is in all other requests denied.

2 This Order disposes of Docket No. 302.

3 **IT IS SO ORDERED.**

4 Dated: December 14, 2017

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6 JACQUELINE SCOTT CORLEY
7 United States Magistrate Judge

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